

REMARKS

The Assignee respectfully requests reconsideration. Claims 1, 2, 5, 8-13, 15-19, 21-26, 28-30, 32, 34-39, 41-42 and 44-49 were pending in this application. By this amendment, the Assignee is canceling claims 15, 19 and 28 without prejudice or disclaimer. New claims 50 and 51 have been added. Claims 16-19, 21-26, 29-30, 32, 34-39, 44, and 49 have been amended. Claims 1, 2, 5, 8-13, 16-18, 21-26, 29-30, 32, 34-39, 41, 42 and 44-51 are currently under examination with claims 1, 50 and 51 being independent.

No new matter has been added.

Interview Summary

Applicants would like to thank the Examiner for the courtesy of a telephone interview conducted on 1/14/2011. During the interview, the allowable subject matter of claim 1 was discussed. The Examiner indicated that incorporating the structure of “a media specific module comprising a normalization module” as well as the associated functions of “converting standardized requests” and “directing commands to respective interfaces” would make other independent claims allowable (see also Office Action of September 17, 2010, page 5).

Applicants note that newly added claim 50 satisfies the Examiner’s suggestion by reciting, *inter alia*:

at a media specific module interface comprising a normalization module, converting standardized communication requests into media specific communications that meet media specific implementation requirements; and

at the media specific module interface, directing the media specific communications to respective network interfaces.

Claim 50 is therefore allowable as discussed below.

Applicants also note that newly added claim 51 satisfies the Examiner’s suggestion by reciting, *inter alia*:

sending standardized communication requests from the rules engine to a ***media specific module interface comprising a normalization module***, the standardized communication requests related to the designation of the one of the set of networks;

at the normalization module, *converting standardized communication requests* into media specific communications that meet media specific implementation requirements; and

at the media specific module interface, *directing the media specific communications to respective media specific modules.*
(emphasis added).

Claim 51 is therefore allowable as discussed below.

Allowable Subject Matter

The Assignee thanks the Examiner for agreeing that claims 1-2, 5, and 8-13 are allowable. However, the Assignee believes that due to an inadvertent error, there are further allowable claims.

The Office Action made clear that claim 1 is allowable because the combination of claim limitations is not taught by the prior art, alone or combination. Hence, dependent claims 2, 5 and 8-13 were also determined to be allowable. The Assignee would like to respectfully indicate to the Examiner that there are further claims in the present application that depend from claim 1 and, by the same reasoning, are also allowable. Specifically, claims 41, 42, and 45-48 all depend from claim 1.

Accordingly, the Assignee respectfully requests that the Examiner allow claims 41, 42, and 45-48.

Independent claims 15 and 28 have been canceled, but new independent claims 50 and 51 were added. The new claims each recite at least a combination of limitations that – based on the identified Allowable Subject Matter (Examiner Interview and Office Action of September 17, 2010, Page 5) – should be allowed.

Rejections under 35 U.S.C. §103

Melpignano in view of Babbar, Shi and Shi

The Examiner has rejected claims 15-19, 21-26 and 41-42 under 35 U.S.C. §103(a) as purportedly being unpatentable over Melpignano et al. (US PUB 2006/0084417) in view of Babbar et al. (US PUB 2004/0116140) and in view of Shi (US Patent No. 6,807,163) and further in view of Shi (US PUB 2004/0192301). These rejections are respectfully traversed.

Claim 15 is Canceled

Independent claim 15 is herein canceled, rendering the rejection moot. The Assignee, however, has added new claim 50 and changed the dependency of all claims that previously depended from claim 15 to depend from claim 50. Therefore, the Assignee addresses the allowability of claim 50 herein.

Claim 50 claims a method that may be performed by the computing device of claim 1, which the Examiner determined to be allowable, but is not limited to be performed by the device of claim 1. The limitations of claim 50 include the elements that the Office Action deemed to be absent from the prior art in connection with the Allowable Subject Matter (Office Action of September 17, 2010, Page 5).

For example, claim 50 recites “at a media specific module interface comprising a normalization module, converting standardized communication requests into media specific communications that meet media specific implementation requirements,” “at a plurality of media specific modules, acquiring network interface information pertaining to network interfaces associated with particular media types, the network interface information acquired from media specific drivers associated with particular interfaces” and “at the plurality of media specific modules, receiving network interface configuration commands from the rules engine to connect to one of the set of networks.” At least the foregoing limitations are not taught by the prior art, alone or in combination.

For at least the foregoing reasons, the art does not teach every claim limitation and, therefore, withdrawal of the rejections of independent claim 50, and claims 16-18, 21-26 which depend from claim 50, is respectfully requested.

Claims 41 and 42 are Allowable

As discussed above, claims 41 and 42 did not depend from claim 15. Claims 41 and 42 depend from claim 1, which the Examiner found to be allowable. Therefore, the rejection in the Office Action is improper.

Accordingly, the Assignee respectfully requests the withdrawal of these rejections.

Melpignano in view of Shi and Nguyen

The Examiner has rejected claims 28-32, 34-39 and 44-47 under 35 U.S.C. §103(a) as purportedly being unpatentable over Melpignano in view of Shi '163 and further in view of Nguyen (US PUB 2003/0212784).

Claim 28 is Canceled

Independent claim 28 is herein canceled, rendering the rejection moot. The Assignee, however, has added new claim 51 and changed the dependency of all claims that previously depended from claim 28 to depend from claim 51. Therefore, the Assignee addresses the allowability of claim 51 herein.

Claim 51 claims a method that includes the elements that the Office Action deemed to be absent from the prior art in connection with the Allowable Subject Matter (Interview Summary and Office Action of September 17, 2010, Page 5). For example, claim 51 requires "at the normalization module, converting standardized communication requests into media specific communications that meet media specific implementation requirements, the act of converting performed at the normalization module," "at a plurality of media specific modules, acquiring network interface information pertaining to network interfaces associated with a set of networks and a plurality of media types, the network interface information acquired from media specific drivers associated with particular interfaces" and "at the media specific module interface, directing the media specific communications to respective media specific modules." At least the foregoing limitations are not taught by the prior art, alone or in combination.

For at least the foregoing reasons, the art does not teach every limitation of claim 51 alone or combination and, therefore, withdrawal of the rejections of independent claim 51, and claims 32, 34-39 and 44 which depend from claim 51, is respectfully requested.

Claims 45-47 are Allowable

As discussed above, claims 45-47 did not depend from claim 28. Claim 41 and 42 depend from claim 1, which the Examiner found to be allowable. Therefore, the rejection in the Office Action is improper.

Accordingly, the Assignee respectfully requests the withdrawal of these rejections.

Melpignano in view of Shi and Hartless

The Examiner has rejected claim 48 under 35 U.S.C. §103(a) as purportedly being unpatentable over Melpignano in view of Shi '163, and further in view of Hartless (US Patent 6,292,660).

As discussed above, claim 48 did not depend from claim 28. Claim 48 depends from claim 1, which the Examiner found to be allowable. Therefore, the rejection in the Office Action is improper.

Accordingly, the Assignee respectfully requests the withdrawal of the rejection of claim 48.

Melpignano in view of Shi, Hawkins and Lemilainen

The Examiner has rejected claim 49 under 35 U.S.C. §103(a) as purportedly being unpatentable over Melpignano in view of Shi '163, in view of Hawkins (US Patent 7,025,209) and in further view of Lemilainen et al. (US Patent 6,681,259).

Claim 49 now depends from claim 51 which is itself allowable for the reasons discussed above. Therefore, Melpignano in view of Shi, Hawkins and Lemilainen do not teach claim 51's combination of limitations, alone or combination and, for this reason, claim 49 is allowable.

Accordingly, the Assignee respectfully requests the withdrawal of the rejection of claim 49.

General Comments on Dependent Claims

Each of the dependent claims depends from a base claim that is believed to be in condition for allowance, and the Assignee believes that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. The Assignee does not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor does the Assignee concur that the basis for the rejection of any of the dependent claims is proper. Therefore, the Assignee reserves the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

New Claims

The Assignee has added new independent claims 50 and 51. These claims are supported throughout the specification, including at least by the following portions of the originally filed application: claims 1 and 4-5; FIG. 11; page 12, line 24 – page 13, line 7; page 14, line 24 – page 15, line 11; page 18, lines 21-26; and page 28, line 14 – page 29, line 20. Accordingly, no new matter has been added.

Claims 50 and 51 are therefore allowable for reasons summarized above, as discussed during the interview.

CONCLUSION

In view of the above amendment, the Assignee believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. M1103.70193US00 from which the undersigned is authorized to draw.

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Respectfully submitted,

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